

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)
016336-002700US

First Named Inventor: Andre Lieber

International (PCT) Application No.: PCT/US2004/013717

U.S. Application No.:
(if known)

Filed: May 3, 2004

Title: CAPSID-MODIFIED ADENOVIRUS VECTORS AND METHODS OF USING
THE SAME

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity - fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27. Please charge Deposit Account No. 20-1430 in the amount of \$750 to cover the above fees. A duplicate copy of this sheet is enclosed.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over payment to Deposit Account No. 20-1430.

2. Proper reply

- A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
US National Stage Application (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/14/2005 ATRAN1 00000003 201430 10559752

04 FC:2453 750.00 DA

3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

December 6, 2005

Date

Neil G. Miyamoto

Typed or Printed Name

Townsend and Townsend and Crew LLP
Two Embarcadero Center, Eighth Floor

Address

San Francisco, CA 94111-3834

Address

50,370

Registration Number, if applicable

(650) 326-2400

Telephone Number

Enclosures: ☒ Response☒ Fee Payment☐ Terminal Disclaimer☐ Other (please identify):

EXPRESS MAIL LABEL NO. EV 529 872 524 US
MAILING DATE: DECEMBER 6, 2004